

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

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|---------------------------|---|-----------------------------|
| United States of America, |) | |
| |) | |
| Plaintiff, |) | SECOND AMENDED ORDER |
| |) | GRANTING MOTION FOR |
| vs. |) | RELEASE |
| |) | |
| Sidney John Little Eagle, |) | |
| |) | |
| Defendant. |) | Case No. 1:21-cr-168 |

On January 27, 2023, Defendant entered guilty pleas to the following offenses: conspiracy to distribute and possess with intent to distribute controlled substances (Count 1); and maintaining drug-involved premises (Count 6). (Doc. No. 116). He next appeared before the court on April 24, 2023, for sentencing. (Doc. No. 141). After some discussion, the court continued his sentencing to allow him to explore his treatment options. (Id.).

On April 28, 2023, Defendant filed a motion requesting to be released from custody and allowed to reside at North Dakota Adult and Teen Challenge’s (“Teen Challenge”) inpatient treatment facility in Mandan, North Dakota. (Doc. No. 142).

There being no objection from the United States, the court **GRANTS** Defendant’s motion (Doc. No. 142). Defendant shall be released no earlier than 11:00 AM on May 3, 2023, to his aunt or sister for immediate transport to Teen Challenge. Defendant’s release shall be subject to the following conditions:

- (1) Defendant must not violate federal, state, tribal, or local law while on release.
- (2) Defendant must appear in court as required and must surrender to serve any sentence imposed.

- (3) Except upon prior approval from the Pretrial Services Officer, Defendant's travel is restricted to the Bismarck/Mandan metropolitan area.
- (4) Upon his arrival at Teen Challenge, Defendant shall immediately contact the Pretrial Services Officer Skyler Soupir at (701) 530-2416. He shall thereafter report to the Pretrial Services Officer at such times and in such manner as designated by the Officer.
- (5) Defendant shall refrain from: any use of alcohol; any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. § 802 or state statute, unless prescribed by a licensed medical practitioner; and any use of inhalants. Defendant shall submit to drug/alcohol screening at the direction of the Pretrial Services Officer to verify compliance. Failure or refusal to submit to testing or tampering with the collection process or specimen may be considered the same as a positive test result.
- (6) Defendant shall not possess a firearm, destructive device, or other dangerous weapon.
- (7) Defendant shall reside at Teen Challenge's facility in Mandan, North Dakota. He shall participate in Teen Challenges programming and abide by its rules and regulations.
- (8) Defendant must sign all release forms to allow the Pretrial Services Officer to obtain information from Teen Challenge OR to communicate with facility staff about his progress in its programming.
If for any reason Defendant is terminated from Teen Challenge, he must immediately report to the United States Marshal.
At least 96 hours prior to anticipated completion of the treatment program, Defendant must advise the Pretrial Services Officer of his anticipated completion date so the Court may schedule a hearing to review his release status.
- (9) Defendant must participate in the following location restriction program and comply with its requirements as directed by the Pretrial Services Officer.
Home Detention: Defendant is restricted to his residence at all times except for

- (10) Defendant shall submit his person, residence, vehicle, and/or possessions to a search conducted by a Pretrial Services Officer at the request of the Pretrial Services Officer. Failure to submit to a search may be grounds for revocation of pretrial release. Defendant shall notify any other residents that the premises may be subject to searches pursuant to this condition. The Pretrial Services Officer may conduct a search under this condition only when reasonable suspicion exists that the defendant has violated a condition of release and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.
- (11) Defendant must report as soon as possible, to the pretrial services or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.

IT IS SO ORDERED.

Dated this 3rd day of May, 2023, nunc pro tunc.

/s/ Clare R. Hochhalter

Clare R. Hochhalter, Magistrate Judge
United States District Court